

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DANA CARPENTER, as Administratrix of)	
the Estate of James Carpenter, deceased,)	
et al.,)	
)
Plaintiffs,)	
)
v.)	CIVIL ACTION NO.
) 02-0625-BH-M
JACK TILLMAN, et al.,)	
)
Defendants.)	

ORDER

This action is now before the Court on the motion (Docs. 201-201) to dismiss filed by the Alabama Department of Corrections' defendants, Michael Haley, Greg Loveless and Sidney Rogers (collectively "DOC defendants"). Upon consideration of the motion and all pertinent portions of the record, the Court concludes and it is therefore **ORDERED** that the motion is due to be and is hereby **GRANTED** for the reasons stated therein. The Court is willing to reconsider this matter only if the plaintiffs file a motion to reconsider **on or before July 24, 2006**, and therein show cause why the motion to dismiss ought not to be granted.

The action will continue as to the sole remaining defendants, the City of Mobile, Mike Dow, Richard Cashdollar, James Lackey and Willie Huntley (collectively the "City defendants").¹ In that regard, it is **FURTHER ORDERED** that the stay imposed in this

¹The parties shall advise this Court in writing of any substitutions required with respect to these defendants.

action on February 2, 2004, be and is hereby **LIFTED** and this action be and is hereby **SET FOR STATUS CONFERENCE** in the undersigned's chambers **at 10:00 a.m. on Wednesday, July 26, 2006.** Counsel for those parties not yet dismissed from this action are required to attend and are hereby instructed to **FILE on or before 5:00 p.m. on Monday, July 24, 2006,** a summary of their respective positions regarding the issues now remaining in this case; what, if any, discovery remains to be completed in this case; and a proposed time line for the parties' preparation for trial.

DONE this 13th day of July, 2006.

s/ W. B. Hand
SENIOR DISTRICT JUDGE